

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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| In re | : |
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| MOTORS LIQUIDATION COMPANY, et al., | : |
| f/k/a General Motors Corp., et al. | : |
| | : |
| Debtors. | : |
| | : |
| -----X | |

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| | Chapter 11 Case No. |
| | 09-50026 (REG) |
| | (Jointly Administered) |

**DECLARATION OF JOSEPH H. SMOLINSKY IN SUPPORT OF
DEBTORS' OBJECTION TO PROOF OF CLAIM NO. 45631
FILED BY STEVEN NEWMAN C/O MICHAEL GREEN, DECEASED**

JOSEPH H. SMOLINSKY hereby declares:

1. I am a member of the Bar of the State of New York and a partner at the law firm Weil, Gotshal & Manges LLP, counsel to Motors Liquidation Company (f/k/a General Motors Corporation) and its debtors and debtors in possession in the above-caption action (collectively, the "**Debtors**"). I submit this declaration in connection with Debtors' Objection to the Proof of Claim No. 45631 Filed by Steven Newman c/o Michael Green, Deceased dated April 5 2011 (ECF No. 10046).

2. Attached hereto as Exhibits 1 is a true and correct copy of the Stipulation of Uncontested Facts in *Newman v. General Motors Corp*, Case No. 02-CV-0135 (D.N.J., filed Nov. 8, 2002) ("*Newman v. General Motors Corp.*").

3. Attached hereto as Exhibit 2 is a true and correct copy of the transcript of the deposition of David Coulson taken in *Newman v. General Motors Corp.* on August 21, 2008.

4. Attached hereto as Exhibit 3 is a true and correct copy of the transcript of the deposition of Myrna Ade taken in *Newman v. General Motors Corp.* on September 17, 2008.

5. Attached hereto as Exhibit 4 is a true and correct copy of the transcript of the deposition of Douglas E. Brown taken in *Newman v. General Motors Corp.* on September 15, 2008.

6. Attached hereto as Exhibit 5 is a true and correct copy of the transcript of the deposition of Thomas A. Ziolkowski taken in *Newman v. General Motors Corp.* on September 16, 2008.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 5th day of April, 2011, in New York, New York.

/s/ Joseph H. Smolinsky
Joseph H. Smolinsky